

CRL OP(MD). No.6952 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6952 of 2025

Karthick Alias Karuppasamy

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu Rep.,
The Inspector of Police,
Thiruthangal Police Station,
Viruthunagar District
(Crime No. 147 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.R. Jagadeeshwaran
Advocate.

For Respondent : Mr.S.S. Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 147 of 2025 on the file of the respondent police.



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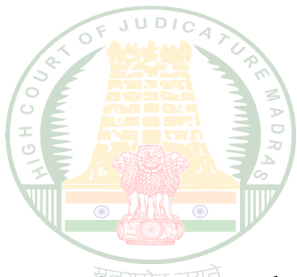
ORDER : The Court made the following order :-
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This Criminal Original Petition has been filed by the petitioner on 15.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused No.3 apprehends arrest at the hands of the respondent-police for the offences punishable under Section 308(4) of BNS, 2023, in Crime No.147 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.03.2025, at about 06.45 am, while the defacto complainant was travelling from S.N.Puram to Samiyarmadam road, the petitioner herein and other accused persons waylaid the defacto complainant and caught hold him and attempted to snatch money. Hence, the case.

4. Mr.R.Jagadeeswaran, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this



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Court. He therefore prays for grant of pre-arrest bail to the petitioner.

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5. Mr.S.S.Manoj, the learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that there four previous cases pending against the petitioner. He further submits that the investigation of the case is still pending and, therefore, at this stage, if pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and other witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the facts and circumstances of the case and also considering the nature of offence allegedly committed by the petitioner, this Court is of the view that custodial interrogation of the petitioner may not necessary in this case for the investigating agency. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same and also considering the totality of circumstances of the case and with a view to give one more opportunity to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.



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(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent - police daily at 10.00 am and 6.00 pm until further orders.

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.



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(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vi) The petitioner shall not leave India without the prior permission of the Court.

(vii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and tamper with the evidence.

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

Sd/-

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/05/2025

Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate No.II, Sivakasi, Virudhunagar District,
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ Srivilliputhur.
3. The Inspector of Police,
Thiruthangal Police Station,
Viruthunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date :17/04/2025



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RK(13/05/2025) 7P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.